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REMARKS

§102(b) Rejection based on Salyer (US Patent 6,001,105) and Temeles (US Patent 6,283,971):

The Examiner has rejected claims 1-12 under §102(b) as being anticipated by Salyer (US Patent No. 6,001,105). Applicant has amended the claim by removing the word "substantially". Other clarifying amendments have been made as well. As amended, it is believed that it cannot be fairly said that language that states that "teeth have a matched arc cutting edge of substantial length connected to the shell by adjacent rise portions, the matched arc cutting edge having a cutting profile which matches the profile of the overall cut shape" can mean anything but that the cutting edge of each tooth matches the overall, or aggregate profile to be cut by the reamer. The Examiner is likely familiar with the common household utensil called a cheese grater, which cuts deep ruts in cheese. In the present invention, the teeth cut a "non-rutted" surface having a matched arc cutting edge of substantial length (more than a point or apex) connected to the shell by adjacent rise portions, such rise portions not being present in the prior art having a cutting profile which matches the profile of the overall cut shape.

Applicant requests that prior to entering a response that is prejudicial to Applicant, Applicant be granted the opportunity to discuss this amendment or further possible amendment with the Examiner with a view toward clarifying any possible lingering ambiguities.

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Conclusion

Applicant has made a diligent effort to advance the prosecution of this application by amending claims and pointing out herein with particularity how the

claims now presented are patentably distinct from the prior art of record. Therefore, Applicant respectfully submits that the claims are now in condition for allowance. No new matter has been entered by this amendment. Any limitations to the claims are made solely for the purpose of expediting the prosecution of the application and, unless otherwise expressly stated, are not made to narrow, vis-à-vis the prior art, the scope of protection which any subsequently issuing patent might afford. Again, if the Examiner has further questions, he is invited to contact the undersigned at phone 011-4171-230-1000, fax at 011-4171-230-1001 (Switzerland is 6 hours ahead of Eastern Std Time), or e-mail at moetteli@patentinfo.net.

The Undersigned authorizes the Commissioner to charge any fee or credit any overpayment of any fee under 37 CFR §1.16 and §1.17 which may be required in this application to the deposit account of MOETTELI & ASSOCIES SARL, no. 50-2621, in particular, the extension of time fees required herein..

Respectfully submitted,

Date : Sept 4, 2007


John MOETTELI
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Enclosure: RCE request form